REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. At the time of the outstanding Office Action, claims 1, 8-12, 19-23, 30-34 and 36-40 were pending. Claim 12 was amended to address a typographical issue. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Thus, claims 1, 8-12, 19-23, 30-34 and 36-40 are now pending in this application.

Prior Art Rejections:

The outstanding Office Action asserts that claims 1-5, 10-16, 21-27, 32-34 and 37-40 were rejected under 35 U.S.C. 102(b) as being anticipated by WO 98/34189 to Roth et al. (hereinafter "Roth"), and claims 8-9, 19-20, 30-31, and 36 were rejected under 35 U.S.C. §103(a) as being obvious over Roth. Applicants respectfully submit that this must be a typographical error on the part of the Examiner, as claims 2-5, 13-16, 24-29 and 35 are no longer pending for examination in this application. Applicant interprets the rejection of the Examiner as over the subject matter of claims 1, 8-12, 19-23, 30-34 and 36-40. The rejections set forth in the outstanding Office Action are respectfully traversed for at least the following reasons.

Independent claims 1, 12 and 23 have been previously amended to include the subject matter of dependent claims 2-5, 13-16 and 24-27 respectively. This includes features including "an **advertisement data registration unit** which **registers the advertisement data** received by said advertisement data reception unit," "wherein in a case **where said distribution accepting unit accepts applications for distribution of advertisement data from a plurality of sponsors for a same advertisement opportunity, said trade process unit puts up the advertisement opportunity for auction.**" (emphasis added) This advertisement data is "**data from a sponsor who wants the advertisement data to be distributed on an advertisement opportunity.**" Independent claims 34 and 38-40 contain analogous features.

Claims 1-5, 10-16, 21-27, 32-34 and 37-40 were rejected under 35 U.S.C. 102(b) as being anticipated by Roth. Roth is directed towards an internet advertising system in which advertises propose bids that "specify a price or amount that the advertiser is willing to pay for the opportunity to display an advertisement (a) to a view who has a particular set of characteristics and (b) on a web site or web page that meets a particular set of criteria." (page 3, lines 21-24) These proposed bids are in response to view-ops with specific characteristics. A view-op is described in Roth as the "fact that a viewer has accessed a web page which has an HTML reference to the advertising server." (page 3, lines 12-17) Roth teaches the following process when a view-op presents itself: the advertising system updates its information about the viewer of the view-op, sends information about the view-op to bidding agents who decide which bids to submit for the view-op, compares bids from the bidding agents, and sends the selected advertisement to the browser to be viewed. (page 8, lines 1-11)

This is in contrast to the invention as claimed, which requires that applications for distribution for an advertisement opportunity are accepted before the advertisement opportunity is put up for auction ("wherein in a case where said distribution accepting unit accepts applications for distribution of advertisement data from a plurality of sponsors for a same advertisement opportunity, said trade process unit puts up the advertisement opportunity for auction," independent claim 1; independent claims 34 and 38-40 contain an analogous feature.) Rather, as shown above, the view-op is put up for auction before proposed bids are evaluated or submitted. Thus, Roth fails to teach this feature of the invention as claimed.

Roth fails to teach several features of the invention as claimed as well. Specifically, Roth fails to teach the advertisement data registration unit of the invention as claimed. With regards to the advertisement data registration units, the Examiner points to the following two paragraphs of Roth to teach this feature:

"Web page 12 includes an HTML reference to an advertisement stored on advertising web server system 16. Each time client browser 11 displays web page 12, the human viewer 10 will see an advertisement which is provided by advertising web server system 16. Such HTML references are in widespread use and they are implemented using conventional HTML tags. Advertising web server system 16 includes a data base of

advertisements 16A, a data base of viewer information 16B, and a bid selection logic 16C. **The bid selection logic 16C receives bids from bidding agents 30A to 30Z which in turn receive information concerning proposed bids from bid input system 18**. For purposes of illustration only three identical bidding agents 30A, 30B and 30Z are specifically shown. The reference number 30 will be used to refer to a typical bidding agent. It should be understood that the system could include any number of bidding agents. For example, a system could include several thousand bidding agents 30. Bid input system 18 provides bidding agents 30 with proposed bids which specify how much should be bid for view-ops with particular characteristics. Each bidding agents 30 evaluates each view-op to determine if the view-op meets the criteria specified in a particular proposed bid and if so how much should be bid.

Each bidding agent 30 evaluates a view-op with respect to one proposed bid to determine if a bid should be submitted. Each proposed bid includes a list of parameters which specify the particular type of viewer which the advertiser wants to reach. For example, a proposed bid might specify that the advertiser is willing to pay five cents for the opportunity to place an advertisement on a web page which is accessed by a viewer who has accessed three financial web pages and an automotive web page within the last week." (column 6, line 17 to column 7, line 15, emphasis added)

There is no teaching or suggestion in this passage, or anywhere else in the disclosure of Roth, that advertisement data is registered. Roth teaches that the view-op, which corresponds to an advertisement opportunity, is publicized. However, there is no teaching or suggestion that advertisement data that is to be distributed for an advertisement is registered. Thus, Roth fails to teach several features of the invention as claimed. Thus, if this rejection is maintained, the Examiner is respectfully requested to point out where this feature is found in Roth.

The dependent claims are also patentable for at least the same reasons as the independent claim on which they ultimately depend. In addition, they recite additional patentable features when considered as a <u>whole</u>.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date _March 7 2008_

By _____ Reg. No. 43 438

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